



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4079

Introduced 1/15/2004, by Elaine Nekritz

SYNOPSIS AS INTRODUCED:

765 ILCS 705/1

from Ch. 80, par. 91

Amends the Landlord and Tenant Act. Provides that covenants in commercial leases exempting the lessor from liability for property damage are not void as against public policy. Effective immediately.

LRB093 15271 LCB 40872 b

1 AN ACT concerning landlords.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Landlord and Tenant Act is amended by
5 changing Section 1 as follows:

6 (765 ILCS 705/1) (from Ch. 80, par. 91)

7 Sec. 1. Liability exemptions.

8 (a) Except as otherwise provided in subsection (b), every
9 covenant, agreement, or understanding in or in connection with
10 or collateral to any lease of real property, exempting the
11 lessor from liability for damages for injuries to person or
12 property caused by or resulting from the negligence of the
13 lessor, his or her agents, servants or employees, in the
14 operation or maintenance of the demised premises or the real
15 property containing the demised premises shall be deemed to be
16 void as against public policy and wholly unenforceable.

17 (b) Subsection (a) does not apply to a provision in a
18 commercial lease that exempts the lessor from liability for
19 property damage.

20 (Source: P.A. 84-551.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.